

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 50 of 2003
HOUSE BILL 1118

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE OIL AND
11 GAS COMMISSION FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2005; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE OIL AND GAS COMMISSION
16 APPROPRIATION FOR THE 2003-2005
17 BIENNIUM.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Oil and
24 Gas Commission for the 2003-2005 biennium, the following maximum number of
25 regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
34

35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2003-2004	2004-2005
3	(1)	9914 OIL & GAS DIRECTOR	1	\$87,822	\$89,891
4	(2)	9897 OIL & GAS DEPUTY DIRECTOR	1	\$80,151	\$82,074
5	(3)	9895 SENIOR PETROLEUM ENGINEER	1	\$74,893	\$76,716
6	(4)	R170 ATTORNEY SPECIALIST	1	GRADE	25
7	(5)	B015 SENIOR PETROLEUM GEOLOGIST	2	GRADE	24
8	(6)	D038 SYSTEMS PROGRAMMER	1	GRADE	22
9	(7)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE	20
10	(8)	X354 OIL & GAS TECHNICIAN II	6	GRADE	20
11	(9)	X403 OIL & GAS DIST PETROLEUM TECH	1	GRADE	20
12	(10)	A111 ACCOUNTANT	1	GRADE	18
13	(11)	D128 P C SUPPORT SPECIALIST	1	GRADE	18
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15	(13)	A108 ACCOUNTING TECHNICIAN II	5	GRADE	15
16	(14)	K153 SECRETARY II	2	GRADE	13
17	(15)	K155 SECRETARY I	<u>2</u>	GRADE	11
18		MAX. NO. OF EMPLOYEES	28		

19

20 SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and Gas
 21 Commission for the 2003-2005 biennium, the following maximum number of part-
 22 time or temporary employees, to be known as "Extra Help", payable from funds
 23 appropriated herein for such purposes: six (6) temporary or part-time
 24 employees, when needed, at rates of pay not to exceed those provided in the
 25 Uniform Classification and Compensation Act, or its successor, or this act
 26 for the appropriate classification.

27

28 SECTION 3. APPROPRIATION. There is hereby appropriated, to the Oil and Gas
 29 Commission, to be payable from the Oil and Gas Commission Fund, for personal
 30 services and operating expenses of the Oil and Gas Commission for the
 31 biennial period ending June 30, 2005, the following:

32

ITEM	FISCAL YEARS		
	NO.	2003-2004	2004-2005
35	(01) REGULAR SALARIES	\$ 1,041,697	\$ 1,069,822
36	(02) EXTRA HELP	45,000	45,000

1	(03) PERSONAL SERV MATCH	282,033	287,015
2	(04) MAINT. & GEN. OPERATION		
3	(A) OPER. EXPENSE	301,476	301,476
4	(B) CONF. & TRAVEL	15,000	15,000
5	(C) PROF. FEES	172,000	90,000
6	(D) CAP. OUTLAY	75,000	75,000
7	(E) DATA PROC.	0	0
8	(05) POLLUTION CONTROL	10,000	10,000
9	(06) DATA PROCESSING SERVICES	250,000	0
10	(07) INTERSTATE OIL COMPACT	10,000	10,000
11	(08) WELL CAPPING EXPENSE	750,000	0
12	(09) UNDERGROUND INJECTION CNTRL	60,000	60,000
13	(10) GROUNDWATER PROTECTION	<u>5,000</u>	<u>5,000</u>
14	TOTAL AMOUNT APPROPRIATED	<u>\$ 3,017,206</u>	<u>\$ 1,968,313</u>

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16 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
 17 Oil and Gas Commission, to be payable from cash funds as defined by Arkansas
 18 Code 19-4-801 of the Oil and Gas Commission, for refunds/transfers to the
 19 State Treasury of the Oil and Gas Commission for the biennial period ending
 20 June 30, 2005, the following:

21

22	ITEM	FISCAL YEARS	
23	<u>NO.</u>	<u>2003-2004</u>	<u>2004-2005</u>
24	(01) REFUNDS/TRANSFERS TO STATE TREASURY	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

26

27 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 28 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.
 29 Any unexpended balance of the appropriation authorized for Data Processing in
 30 Item (06) of Section 3 of this Act which remains at the close of the fiscal
 31 year ending ~~June 30, 2002~~ June 30, 2004, shall be carried forward and made
 32 available for the same purpose for the fiscal year ending ~~June 30, 2003~~ June
 33 30, 2005.

34 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 35 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

36

1 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 2 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.
 3 Any unexpended balance of the appropriation authorized for Well Capping
 4 Expense in Item (08) of Section 3 of this Act which remains at the close of
 5 the fiscal year ending June 30, 2004, shall be carried forward and made
 6 available for the same purpose for the fiscal year ending June 30, 2005.

7 The provisions of this section shall be in effect only from July 1, 2003
 8 through June 30, 2005.

9
 10 SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 11 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. OIL AND GAS
 12 COMMISSION FUND. (A) For all appropriations as provided in this Act, the
 13 agency disbursing officer shall monitor the level of fund balances in
 14 relation to expenditures on a monthly basis. If any proposed expenditures
 15 would cause the Oil and Gas Commission Fund to decline below nine hundred
 16 seven thousand, four hundred eighty-seven dollars (\$907,487.00) a fund
 17 ~~balance to decline to less than fifty percent (50%) of the balance available~~
 18 ~~on July 1, 2001,~~ the disbursing officer shall immediately notify the
 19 executive head of the agency. Prior to any obligations being made under
 20 these circumstances, the agency head shall file written documentation with
 21 the Chief Fiscal Officer of the State requesting approval of the
 22 expenditures. Such documentation shall provide sufficient financial data to
 23 justify the expenditures and shall include the following:

- 24 1) a plan that clearly indicates the specific fiscal impact of such
- 25 expenditures on the fund balance.
- 26 2) information clearly indicating and explaining what programs would be cut
- 27 or any other measures to be taken by the agency to restore the fund balance.
- 28 3) the extent to which any of the planned expenditures are for one-time costs
- 29 or one-time purchase of capitalized items.
- 30 4) a statement certifying that the expenditure of fund balances will not
- 31 jeopardize the financial health of the agency, nor result in a permanent
- 32 depletion of the fund balance.

33 (B) The Chief Fiscal Officer of the State shall review the request and
 34 approve or disapprove all or any part of the request, after having sought
 35 prior review by the Legislative Council.

36 The provisions of this section shall be in effect only from July 1, 2003

1 through June 30, 2005.

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3 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
4 by this act shall be limited to the appropriation for such agency and funds
5 made available by law for the support of such appropriations; and the
6 restrictions of the State Purchasing Law, the General Accounting and
7 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
8 Procedures and Restrictions Act, or their successors, and other fiscal
9 control laws of this State, where applicable, and regulations promulgated by
10 the Department of Finance and Administration, as authorized by law, shall be
11 strictly complied with in disbursement of said funds.

12
13 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
14 that any funds disbursed under the authority of the appropriations contained
15 in this act shall be in compliance with the stated reasons for which this act
16 was adopted, as evidenced by the Agency Requests, Executive Recommendations
17 and Legislative Recommendations contained in the budget manuals prepared by
18 the Department of Finance and Administration, letters, or summarized oral
19 testimony in the official minutes of the Arkansas Legislative Council or
20 Joint Budget Committee which relate to its passage and adoption.

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22 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
23 Assembly, that the Constitution of the State of Arkansas prohibits the
24 appropriation of funds for more than a two (2) year period; that the
25 effectiveness of this Act on July 1, 2003 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the Regular Session, the delay in the effective
28 date of this Act beyond July 1, 2003 could work irreparable harm upon the
29 proper administration and provision of essential governmental programs.
30 Therefore, an emergency is hereby declared to exist and this Act being
31 necessary for the immediate preservation of the public peace, health and
32 safety shall be in full force and effect from and after July 1, 2003.

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35 APPROVED: 2/3/2003